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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,817	07/16/2003	Stephen F. Bisbee	003670-104	1237

7590 11/02/2007
Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

DAVIS, ZACHARY A

ART UNIT	PAPER NUMBER
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2137

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11/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10620817	7/16/03	BISBEE ET AL.	003670-104

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EXAMINER

Zachary A. Davis

ART UNIT	PAPER
2137	20071024

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Attached please find a supplemental requirement for information under 37 CFR 1.105.

Supplemental Requirement for Information under 37 CFR 1.105

1. The Examiner acknowledges receipt of the mark-up of the present specification showing subject matter added or changed from provisional application Serial No. 60/397,178. Although Applicant states that "texts deleted in the present application are shown with a strike-out, and texts that are added in the present application are shown with an underline" (page 3 of the response received 03 August 2007), the Examiner notes that there are also portions of text that are shown in boldface (see, for example, pages 7-9 of the mark-up of the specification), and it is not clear what this is intended to represent. The Examiner further notes the alternate use of double underlining throughout the text, although it appears that this has merely been used as an alternative to single underlining to show added text. Additionally, the Examiner notes that there appear to be locations in the text where changes are indicated in the left margin, but it is not clearly marked what has been added or deleted (see, for example, page 3, line 29, or page 4, lines 25-26 of the mark-up of the specification).

2. Further in response to the requirement for information under 37 CFR 1.105 attached to the previous Office action, Applicant states that a mark-up of the specification in comparison to the several parent applications of which the present application is a continuation-in-part would not be possible or would be futile because the subject matter has been substantially rewritten (see pages 3 and 6 of the present response). Applicant further states that the subject matters of the parent applications are largely recounted in the Background and Summary of the present application

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(pages 6-7 of the present response). The Examiner acknowledges that this does constitute a sufficient reply to the requirement for information set forth with the previous Office action. However, in view of the statements noted above, and also in view of the long period of time between the actual filing date and earliest potential effective filing date of the present application, a supplemental requirement for information under 37 CFR 1.105 is set forth below, in order to clarify with the required specificity the filing date to which the claimed subject matter is entitled.

3. Therefore, **Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information** that the examiner has determined is reasonably necessary to the examination of this application.

It is again noted that the present application is a continuation-in-part of Application Serial No. 09/737,325, filed 14 December 2000, which is a continuation-in-part of Application Serial No. 09/452,928, filed 02 December 1999, which is a continuation-in-part of Application Serial No. 09/072,079, filed 04 May 1998, which is a continuation-in-part of Application Serial No. 08/528,841, filed 15 September 1995, which is a continuation-in-part of Application Serial No. 08/373,944, filed 17 January 1995. It is further noted that each of the above patent applications have issued as patents. It is also noted that the present application is a non-provisional of provisional Application Serial No. 60/397,178. It is additionally noted that many of the cited prior art references qualify as intervening references, i.e. the reference dates are between the

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actual filing date of the present application (16 July 2003) and its earliest potential effective filing date (17 January 1995).

Therefore, in response to this requirement, please provide answers to each of the following interrogatories eliciting factual information:

Precisely which portions of the disclosure of the present application, **and** which portions of the disclosures of **each** of the parent applications, provide the written description and enablement support for each of the claim elements? See MPEP § 704.11(a), noting in particular item (S)(3).

More specifically, for each of independent Claims 1, 11, and 15, Applicant is required to answer: which portions of the disclosure of the present application, **and** which portions, if any, of the disclosures of **each** of the above parent applications, provide the written description and enablement support, as per 35 U.S.C. 112, first paragraph, for each of the independent claim elements?

Further, if each and every limitation of an independent claim can be shown to have enabling written description support in at least one parent application prior to the present application or provisional application 60/397,178, then for each independent claim depending from the independent claim having support in a prior parent application, Applicant is further required to answer: which portions of the disclosure of the present application, **and** which portions, if any, of the disclosures of **each** of the above parent applications, provide the written description and enablement support, as per 35 U.S.C. 112, first paragraph, for each of the dependent claim elements?

4. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

5. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a **shortened statutory period of TWO months**. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)**. See MPEP § 704.13.

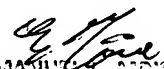
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


zad


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER